

76.180 Rules and regulations -- Sewers regulated -- Citizens' complaints -- Appeals.

- (1) The district shall have power to make and promulgate all rules and regulations proper or necessary to regulate the use, operation, and maintenance of property and facilities under its control, and to carry into effect the powers granted the district by KRS 76.010 to 76.295. The jurisdiction of the district shall extend outside of the district area and outside of construction subdistricts for regulation of any sewers, drains, or watercourses, which by natural flow, or otherwise, empty into or flow through any part of the district area, a construction subdistrict, or the district facilities, or are used by the district or flow through or are constructed in the county in which the district exists.
- (2) The board shall develop a procedure and designate an independent hearing officer for the hearing, review, and resolution of citizens' complaints and grievances that concern:
 - (a) Prioritization of sewer and drainage service requests conducted by the district's maintenance or operations departments;
 - (b) Billing grievances involving the accuracy of individual or residential bimonthly sewer and drainage bills, sewer assessments, and the district's billing policies and procedures;
 - (c) Reimbursement for plumber's bills;
 - (d) Inadequate property restoration by district's crews or contractors; and
 - (e) Rude or inappropriate behavior by district employees.
- (3) Any person or corporation, public or private, affected by the exercise of powers granted the district may appeal a decision of the district to the hearing officer provided for in subsection (2) of this section. Appeals shall be limited to the complaints and grievances outlined in subsection (2) of this section. The appeals shall be in writing and shall state:
 - (a) The circumstances of the district's action;
 - (b) The reason the appellant is aggrieved;
 - (c) Any citations of regulations or statutes the appellant believes to be pertinent to the appeal; and
 - (d) Recommendations of convenient times to hold a hearing on the matter.
- (4) The hearing officer shall conduct a hearing within ninety (90) days of receipt of an appeal, and shall inform each appellant in writing of the date, time, and location his appeal will be heard. The site for each hearing shall be chosen by the hearing officer to meet the needs of the aggrieved party or parties. Citizens shall be given the greatest possible latitude regarding the introduction of evidence at all hearings.
- (5) The hearing officer shall make a decision on each appeal that is consistent with applicable law and the policy of the district. The decision shall be forwarded to the board in the form of a recommendation within thirty (30) days of the hearing. The board shall review the findings of the hearing officer and accept or reject the recommendation within thirty (30) days of receiving it.

- (6) Copies of the board's decision and the hearing officer's recommendation shall be sent to the appellant and the members of the General Assembly who represent any area within the district's jurisdiction within fifteen (15) days of the board's decision.

Effective: July 14, 1992

History: Amended 1992 Ky. Acts ch. 114, sec. 1, effective July 14, 1992. -- Amended 1980 Ky. Acts ch. 188, sec. 56, effective July 15, 1980. -- Amended 1964 Ky. Acts ch. 33, sec. 11. -- Amended 1962 Ky. Acts ch. 286, sec. 24. -- Amended 1952 Ky. Acts ch. 70, sec. 5. -- Created 1946 Ky. Acts ch. 104, sec. 16.